

ORIGINAL

LAWRENCE V. ROBERTSON, JR.
ATTORNEY AT LAW

210 West Continental Road, Suite 216A
Green Valley, Arizona 85622

(520) 398-0411
Fax: (520) 398-0412
Email: tubaclawyer@aol.com



0000174328

OF COUNSEL TO
MUNGER CHADWICK, P.L.C.

ADMITTED TO PRACTICE IN:
ARIZONA, COLORADO, MONTANA,
NEVADA, TEXAS, WYOMING,
DISTRICT OF COLUMBIA

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Re: Tucson Electric Power Company
Docket No. E-01933A-15-0239
Docket No. E-01933A-15-0322

Arizona Corporation Commission

DOCKETED

OCT 31 2016

DOCKETED BY	<i>ML</i>
-------------	-----------

2016 OCT 31 09:10:49

AZ CORP COM
DOCKET CONTROL

TO WHOM IT MAY CONCERN:

Enclosed for filing in the above-referenced docketed proceedings are the original and thirteen (13) copies of the Southern Arizona Home Builders Association's Post-Hearing Opening Brief.

Thank you for your assistance in connection with this filing. Please let me know if you have any questions.

Sincerely,

Lawrence V. Robertson, Jr.

Lawrence V. Robertson Jr.

LAWRENCE V. ROBERTSON, JR.
ATTORNEY AT LAW
210 W. Continental Road, Suite 216A
Green Valley, AZ 85622

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

DOUG LITTLE - Chairman
BOB STUMP
BOB BURNS
TOM FORESE
ANDY TOBIN

IN THE MATTER OF THE APPLICATION OF
TUCSON ELECTRIC POWER COMPANY
FOR APPROVAL OF ITS 2016 RENEWABLE
ENERGY STANDARD AND TARIFF
IMPLEMENTATION PLAN

DOCKET NO. E-01933A-15-0239

IN THE MATTER OF THE APPLICATION OF
TUCSON ELECTRIC POWER COMPANY
FOR THE ESTABLISHMENT OF JUST AND
REASONABLE RATES AND CHARGES
DESIGNED TO REALIZE A REASONABLE
RATE OF RETURN ON THE FAIR VALUE OF
THEIR PROPERTIES OF TUCSON ELECTRIC
POWER COMPANY DEVOTED TO ITS
OPERATIONS THROUGHOUT THE STATE
OF ARIZONA AND FOR RELATED
APPROVALS.

DOCKET NO. E-01933A-15-0322

SOUTHERN ARIZONA HOME
BUILDERS ASSOCIATION POST
HEARING OPENING BRIEF

The Southern Arizona Home Builders Association ("SAHBA") hereby submits its Post-Hearing Opening Brief in the above-captioned and above-docketed consolidated proceedings ("Instant Proceeding").

As indicated through undersigned counsel during his September 8, 2016 Opening Statement in the Instant Proceeding, SAHBA's posture as of that juncture was of a "monitoring" nature, given the issues which had thus far been identified. In that regard, SAHBA had previously

1 met with eight (8) representatives of Tucson Electric Power Company ("TEP" or "Company")
2 several months earlier to discuss questions and potential concerns that SAHBA had at that time
3 with respect to certain aspects of TEP's November 5, 2015 rate case filing. As a result of that
4 meeting, SAHBA was able to conclude that TEP's filing and proposed changes to certain of the
5 Company's Rules and Regulations were not of such a nature as to adversely impact the interests of
6 SAHBA and its members. Accordingly, SAHBA did not file any prepared pre-hearing testimony
7 or offer any witness(es) during the evidentiary hearings conducted in the Instant Proceeding.
8
9

10 In connection with the foregoing, during the evidentiary hearings, SAHBA's counsel was
11 able to re-confirm through cross-examination of TEP's witness Denise Smith that none of the
12 Company's proposed revisions to its existing Rules and Regulations (and, particularly, Article 7
13 thereof) would adversely impact the interests of SAHBA and its members with respect to TEP's
14 existing service and line extension policies. [Tr. 1917-1919]
15
16

17 On August 25, 2016, a Settlement Agreement relating to TEP's revenue requirement for
18 purposes of the Instant Proceeding was filed with the Commission. While SAHBA is not a
19 signatory to that settlement and the \$81.5 million non-fuel revenue requirement therein provided
20 for, SAHBA does wish to express its support for that particular settlement result. SAHBA believes
21 it is important that TEP be in a position to continue to provide safe, adequate and reliable electric
22 service to its customers. Given that the Company is a signatory to the aforesaid Settlement
23 Agreement, SAHBA is assuming in connection with its support of the same that TEP has
24 concluded that Commission approval of an \$81.5 non-fuel revenue requirement for purposes of the
25 Instant Proceeding would enable TEP to continue to provide the aforementioned level of service.
26
27
28

1 The Settlement Agreement expressly does not cover a number of issues, which were
2 "reserved" for further litigation within the context of the Instant Proceeding. Among those issues
3 are some relating to cost of service and rate design. SAHBA takes no position on any of those
4 issues at this time. In that regard, SAHBA currently does not anticipate participating in the
5 forthcoming Phase 2 of the Instant Proceeding.
6

7
8 As of this juncture, SAHBA does not foresee a need to be filing a Post-Hearing Closing
9 Brief. However, it hereby reserves the right to do so.
10

11
12
13 Dated this 27th day of October, 2016.
14

15 Lawrence V. Robertson Jr.

16
17 

18 Attorney for Southern Arizona Home Builders Association
19

20 ORIGINAL and thirteen (13) copies
21 of the foregoing will be mailed this
22 27th day of October 2016 to the
Commission's Docket Control.

23 Copies of the foregoing will be
24 mailed/mailed that same day to the
25 Commission's Hearing Division and
to all parties of record.
26
27
28